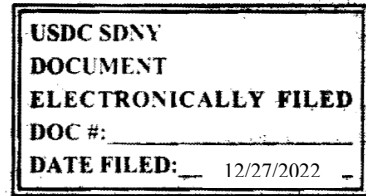


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



-----X
HOFFMAN INTERNATIONAL INC.,

Plaintiff,

20-CV-08461 (AT)(SN)

-against-

ORDER

TEREX USA, LLC,

Defendant.

-----X

-----X

TEREX USA, LLC,

Plaintiff,

22-CV-02681 (AT)(SN)

-against-

HOFFMAN INTERNATIONAL, INC.,

Defendant.

-----X
SARAH NETBURN, United States Magistrate Judge:


The Honorable Analisa Torres referred Hoffman Int’l., Inc., v. Terex USA, LLC (the “Hoffman Action”) and Terex USA, LLC v. Hoffman Int’l., Inc. (the “Terex Action”) to my docket for general pretrial supervision. Hoffman has moved in the Hoffman Action to consolidate these cases and stay discovery pending a decision on the motion to dismiss filed by Terex in the Hoffman Action. Terex opposes the motion to consolidate but consents to the stay. Separately, by letter motion, Hoffman moved to compel discovery in the Terex Action. Terex opposed that motion, largely on the grounds that such discovery should await a decision on Terex’s motion to dismiss in the Hoffman Action.

On December 23, 2022, the Court held a conference to discuss Hoffman's motions to consolidate and stay discovery in the Terex Action and compel discovery in the Hoffman Action. For the reasons discussed on the record, the Court (1) GRANTS Hoffman's motion to consolidate, (2) GRANTS the motion to stay discovery, and (3) DENIES the motion to compel as moot.

The Clerk of Court is respectfully directed consolidate these actions and GRANT the motion at ECF No. 69 in the Hoffman Action, 20-cv-08461.

SO ORDERED.

DATED: December 27, 2022
New York, New York


SARAH NETBURN
United States Magistrate Judge